

the 30th day of August, 1932, to supplement the like appropriation passed at the Regular Session and the 1st and 2nd Called Sessions of the 42nd Legislature; to pay any unpaid vouchers or warrants held by members, officers, or employees of the 2nd and 3rd Called Sessions of the 42nd Legislature, or any unpaid claims or accounts authorized by either the Senate or the House of Representatives of said Legislature at its 2nd or 3rd Called Sessions; to pay any and all sums for whatever purpose authorized to be expended by Concurrent Resolution of said Legislature at its 3rd Called Session and to pay the per diem of members, officers, and employees for pre-session and post-session work of the 3rd Called Session of the 42nd Legislature of the State of Texas.

Sec. 2. That the certificate of the Secretary of the Senate, approved by the President thereof, or the Chief Clerk of the House of Representatives, approved by the Speaker thereof, shall be sufficient evidence to the Comptroller upon which he shall audit the claims for the mileage and per diem of members and the salaries and per diem of the officers and employees of the 3rd Called Session of the 42nd Legislature, and it shall be their duty to issue the necessary warrants for the same upon the Treasury of the State of Texas.

Sec. 3. That the certificate of the Chairman of the Committee on Contingent Expense of the Senate, approved by the President of the Senate, or of the Chairman of the Committee on Contingent Expenses of the House of Representatives, approved by the Speaker of the House, as the case may be, shall be sufficient authority to authorize the Comptroller to issue warrants upon the Treasury of the State of Texas for the payment of accounts for contingent expenses herein provided to be paid.

Sec. 4. The fact that the appropriations made to pay the mileage, per diem, and contingent expenses of the 3rd Called Session of the 42nd Legislature of the State of Texas heretofore made are not sufficient for that purpose creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby sus-

pended, and that the Act shall take effect and be in force from and after its passage, and it is so enacted.

## SECOND DAY.

Senate Chamber,  
Austin, Texas,  
August, 31, 1932.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.
Parr.	

Absent—Excused.

Beck. Greer.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

## Committee Reports.

(See Appendix.)

## Bills and Resolutions.

By Senators Purl and Hopkins:

S. B. No. 9, A bill to be entitled "An Act to amend Sections 20, 27, 38, 44, 47 and 48 and to add a new section thereto, to be known as Section 21-a, of an act entitled 'An Act defining Building and Loan Associations, providing for their incorporation and prescribing the terms, conditions and regulations upon which such companies may carry on their business in Texas, providing that shareholders shall not be disqualified to take acknowledgements; validating such previous acknowledgments by shareholders; prescrib-

ing the terms and conditions upon which foreign building and loan associations may carry on their business in Texas, prescribing penalties for violation of the provisions of the Act, repealing acts and parts of acts in conflict herewith, and declaring an emergency' enacted by the Second Called Session of the 41st Legislature of the State of Texas, and being Senate Bill No. 111, Chapter 61, and published at length in the General Laws of the Second and Third Sessions of the 41st Legislature at pages 100 to 129; providing for keeping secret facts regarding building and loan associations by certain officers and employees; providing that certain information may be given to the Federal Home Loan Bank Board; providing for the reorganization of building and loan associations; providing certain restrictions on building and loan associations taking, holding and conveying real estate; providing for the investment of the funds of building and loan associations; prescribing the power of associations to borrow money; providing for the withdrawal of funds by investing the withdrawal value of shares of stock in building and loan associations; authorizing domestic building and loan associations to become members of a Federal Home Loan Bank; providing for domestic building and loan associations to receive the benefits of the Federal Home Loan Bank Act; and declaring an emergency."

Read and referred to Committee on Banks and Banking.

By Senator Loy:

S. B. No. 10, A bill to be entitled "An Act providing for the allocation of occupation tax levied and collected on gasoline; providing the manner of ascertaining amounts to be distributed and manner of distribution; authorizing Comptroller or other officer collecting tax to examine books of distributors and dealers; providing that funds distributed to counties be applied first to payment of principal and interest of outstanding road bonds, if any, and then to maintenance and construction of public roads in such counties; repealing all laws and parts of laws in conflict herewith; declaring an emergency."

Read and referred to Committee on Highways and Motor Traffic.

#### Senators Excused.

The following Senators were excused on motion of Senator Moore: Senator Beck, indefinitely, on account of serious illness.

Senator Greer, indefinitely, on account of important business.

#### S. C. R. No. 3.

Senator DeBerry sent up the following resolution:

WHEREAS, The Governor has convened the Legislature in Special Session for the purpose of tax relief; and

WHEREAS, Real tax relief can only be accomplished by the reduction of the cost of the Government of the State and all governmental units therein.

It is obvious that the only way to reduce taxes is to reduce the cost of Government and the only way this can be accomplished is to reduce the number of employees and to reduce the salaries of employees and to reduce the maintenance cost of all such departments of Government; and

WHEREAS, The responsibility for any deficit at the end of the next fiscal year is upon this administration and this Legislature and no other; therefore this administration and this Legislature should reduce appropriations so as to eliminate any deficit and to insure the most economical administration possible; and

WHEREAS, The present salary scale of State officials is too high and should be substantially lowered for two main reasons. First, the difference in the purchasing power of the dollar makes it right; and second, the inability of the people to pay makes it imperative. The responsibility of the present salary scale of State officials is upon this administration and Legislature and no other and they should meet the issue fairly; and,

WHEREAS, The salary scale of county officials is obviously too high and should be substantially reduced. The Legislature only has the power to change the statutes setting salaries of county officials and the responsibility of the present salary scale rests upon the present administration and Legislature and no other.

THEREFORE BE IT RESOLVED, That the Senate of Texas, the House of Representatives concurring, re-

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spectfully request the Governor to submit the following subjects to this, the 3rd Called Session of the 42nd Legislature:

Reduction of appropriations of the State Government and salaries of its employees.

Compensation of county officials so that the Legislature might by statute lower the maximum salary allowed county officials in the different counties in the State.

DeBERRY,  
POAGE.

The resolution was read and adopted by the following vote:

Yeas—18

Berkeley.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hornsby.	Russek.
Loy.	Williamson.
Moore.	Woodruff.
Oneal.	Woodward.

Nays—10.

Cousins.	Patton.
Gainer.	Small.
Martin.	Stevenson.
Neal.	Thomason.
Parr.	Woodul.

Absent.

Hopkins.

Absent—Excused.

Beck. Greer.

Reasons for Vote.

My negative vote on the DeBerry resolution asking the Governor to submit general salary reductions is not to be taken as an expression of my views on this subject but rather as a desire to refrain from attempting to dictate to the Governor as to what should be considered. I stand for salary reductions but I do not want to interfere with the plans of the Governor. The Legislature should confine itself to the subjects in the Governor's call and not usurp his authority to keep legislation within certain channels.

SMALL.

S. B. No. 5 Re-referred.

On motion of Senator Williamson, S. B. No. 5 was withdrawn from the Committee on Highways and Motor Traffic and was re-referred to the Committee on State Affairs.

Executive Session.

At 11 o'clock a. m., the Chair announced that the hour for the executive session had arrived.

The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,

Austin, Texas, Aug. 31, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred nominations made by Governor R. S. Sterling, beg leave to report that we have had the same under consideration, and hereby recommend that each and every appointment, be in all things ratified and confirmed.

POLLARD, Chairman.

Courts of Civil Appeals.

District No. 2, Hon. H. S. Lattimore, Associate Justice, Fort Worth, to succeed Associate Justice R. H. Buck, deceased.

District No. 7, Hon. A. B. Martin, Associate Justice, to succeed Justice H. C. Randolph, deceased.

District No. 9, Hon. Daniel Walker, Chief Justice, to succeed Chief Justice L. B. Hightower, deceased.

District No. 9, Hon. Ike Lawhon, Associate Justice, to succeed Justice Daniel Walker, resigned.

Superintendent of Public Instruction.

Hon. C. N. Shaver of Walker County to succeed Hon. S. M. N. Marrs, deceased.

Railroad Commission.

Hon. E. O. Thompson of Potter County, to succeed Hon. Pat M. Neff, resigned.

**District Judges.**

District No. 14, Hon. W. M. Taylor of Dallas County to succeed Judge Foree, deceased.

District No. 31, Hon. A. S. Mauzey of Sweetwater, to succeed Judge Ewing, deceased.

District No. 92, Hon. R. M. Bounds of McAllen.

District No. 96, Hon. Marvin H. Brown of Fort Worth, to succeed Judge H. S. Lattimore, resigned.

**District Attorney.**

Hon. John E. Taylor of Longview.

**Board of Regents  
State Teachers College.**

Dr. Webb Walker of Fort Worth, to succeed Hon. F. A. Martin, deceased.

**State Board of Optometry.**

Dr. Duke W. Pittman of Mexia.

Board of Regents of College of Arts and Industries, Kingsville.

Hon. Robert Lee Bobbitt of Laredo, to succeed Hon. R. M. Kleberg, resigned.

**State Board of Dental Examiners.**

Dr. W. T. Stewart of Waco, to succeed Hon. G. H. Mengel, deceased.

**Kings State Park Commissioners.**

J. T. Vance, Refugio.

John O'Brien, Refugio.

Mrs. Josephine Mitchell, Refugio.

**Pilot Commission—Port of Freeport.**

C. J. Rogan, Freeport.

Percy Beacroft, Freeport.

C. E. Watson, Freeport.

E. C. Tobey, Freeport.

Chas. Skinner, Velasco.

**State Board of Control.**

Hon. John F. Wallace of Teague, succeeding Mr. Roy I. Tennant as member for the next ensuing statutory term.

**State Fire Insurance Commissioner.**

Hon. Raymond Mauk of Dallas, succeeding Mr. J. W. DeWeese as Fire Insurance Commissioner for the next ensuing statutory term.

**Board of Barber Examiners.**

Hon. E. T. Jenkins of Fort Worth, succeeding Mr. Robinson of Dallas, for the next ensuing statutory term.

**Advisory Civil Judicial Council.**

Hon. Alonzo Wasson of Dallas, to succeed Mr. Harry B. Crozier, resigned.

**State Board of Medical Examiners.**

Dr. J. Allen Kyle of Houston.

**State Commission for the Blind.**

Hon. James A. Boddeker, of Galveston, 3 year term.

Hon. E. M. Mayer of Dallas, 1 year term.

Dr. Randolph Haynes of Austin, 2 year term.

And Notaries Public.

**Adjournment.**

On motion of Senator Patton, the Senate, at 11:20 o'clock a. m., adjourned until 10 o'clock tomorrow morning.

**APPENDIX.****Committee on Engrossed Bills.****Committee Room.**

Austin, Texas, Aug. 31, 1932.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 3 carefully examined and compared, and find the same correctly engrossed.

HARDIN, Chairman.

**THIRD DAY.****Senate Chamber,**

Austin, Texas,

September 1, 1932.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem J. J. Loy.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.  
Berkeley.  
Cousins.

Cunningham.  
DeBerry.  
Gainer.